IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION

CRIMINAL CASE NO. 2:09cr17

UNITED STATES OF AMERICA,)
VS.))) <u>ORDER</u>)
DAVID JEFFREY BLACKFOX.)) _)

THIS MATTER is before the Court on the Government's Motion to Dismiss the bill of indictment in the captioned case. [Doc. 26].

The Court will allow the motion to dismiss without prejudice.

IT IS, THEREFORE, ORDERED that the Government's Motion to Dismiss the bill of indictment in the captioned case [Doc. 26] is hereby **GRANTED** and this action is hereby **DISMISSED** without prejudice.

Signed: September 11, 2009

Martin Reidinger United States District Judge